

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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In the Matter of the Arbitration Proceedings between

JOHN HANCOCK LIFE INSURANCE COMPANY,  
Petitioner,

and

SPHERE DRAKE INSURANCE LIMITED,  
Respondent.  
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Civil Action No.  
04 10181MLW  
DISTRICT  
MASS

**JOHN HANCOCK LIFE INSURANCE COMPANY'S  
MOTION FOR EXPEDITED HEARING ON ITS  
VERIFIED AMENDED PETITION TO  
COMPEL ARBITRATION PROCEEDINGS**

John Hancock Life Insurance Company (f/k/a John Hancock Mutual Life Insurance Company, hereinafter "John Hancock") respectfully moves this Court for an expedited hearing on John Hancock's Petition to Compel Arbitration Proceedings (the "Petition"). The Petition has since been amended by the filing of John Hancock's Verified Amended Petition to Compel Arbitration Proceedings ("Amended Petition"). In addition, John Hancock requests an Order that the parties exchange all contractual documentation relating to the contracts set forth in the Amended Petition no later than forty-eight (48) hours prior to the hearing on the Petition as amended.

In its Amended Petition, John Hancock seeks an order that the defendant, Sphere Drake Insurance Limited (hereinafter, "Sphere Drake") be compelled to submit disputes under certain reinsurance agreements into U.S. arbitration proceedings pursuant to the Federal Arbitration Act ("FAA"), 9 U.S.C. §4, and the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the "Convention"), 9 U.S.C. §§201 et. seq.

as demanded by John Hancock.

In support of its motion for an expedited hearing, John Hancock states that it has provided the requisite five (5) days notice of the Petition to Sphere Drake pursuant to 9 U.S.C. § 4. John Hancock now seeks a prompt hearing on the merits, not only to protect its right to have this Court adjudicate the Petition as amended, but also to have this matter disposed of expeditiously so that the parties may proceed into U.S. arbitration proceedings as contractually agreed upon.

Accordingly, John Hancock respectfully requests that the Court: (1) schedule an expedited hearing on its Verified Amended Petition to Compel Arbitration Proceedings; and (2) order that the parties exchange all contractual documentation relating to the contracts set forth in the Amended Petition no later than forty-eight (48) hours prior to the hearing on the Petition as amended.

In further support of this motion, John Hancock submits herewith a Memorandum of Law in Support, which is incorporated by reference herein.

#### **REQUEST FOR ORAL ARGUMENT**

Pursuant to Local Rule 7.1, John Hancock hereby requests oral argument on its Motion for Expedited Hearing On Its Verified Amended Petition to Compel Arbitration

Proceedings as it believes such will assist the Court in its ruling on this matter.

Respectfully Submitted,



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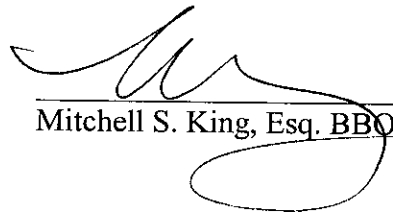
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Attorneys for  
John Hancock Life Insurance Company

Dated: February 4, 2004

**CERTIFICATE OF SERVICE**

I hereby certify that on this 4th day of February, 2004, I served a copy of the foregoing Motion For Expedited Hearing On Its Verified Amended Petition To Compel Arbitration Proceedings by hand to the law firm Sally & Fitch and by regular mail to the law firm Butler Rubin Saltarelli & Boyd.



Mitchell S. King, Esq. BBO#272810